

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JUAN M. RODRIGUEZ BELTRAN,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

V.

TERRAFORM GLOBAL, INC., et al.,

Defendants.

Case No. 15-cv-04981-BLF

PYRAMID HOLDINGS, INC., Individually
and on Behalf of All Others Similarly
Situated,

Plaintiff,

V.

TERRAFORM GLOBAL, INC., et al.,

Defendants.

Case No. 15-cv-05068-BLF

ORDER RE DISCOVERY DISPUTES AND BRIEFING SCHEDULE

On April 11, 2016, the Court granted Pyramid Holdings, Inc.'s motion to conduct limited discovery regarding the ability of presumptive lead plaintiff, Furia Investment Fund, Ltd., to represent the putative class in this action brought under the Securities Act of 1933. The Court directed Pyramid and Furia to meet and confer regarding a proposed discovery plan. The parties were unable to agree on a number of issues and they have submitted competing discovery plans. Having reviewed the parties' briefing, the Court orders as follows:

(A) Scope of Document Production:

Furia and Emmanuel Hermann shall respond to Pyramid's First Set of Requests for the Production of Documents, Exhibit A to the Declaration of Ian D. Berg, as modified by the Court below. The relevant time period for all documents is April 1, 2015 through the date of production:

- 1 (1) Document Request 1, unmodified.
 - 2 (2) Document Request 2, unmodified.
 - 3 (3) Document Request 3, modified as follows:

4 Documents sufficient to show any ~~separation, employment, resignation,~~
5 consulting, confidentiality or other agreement or business relationship that you
6 have with BTG Pactual, including any agreement concerning Furia's investments in
7 TerraForm and any agreement or other business relationship between BTG Pactual
8 and Furia, Fundo de Investimento Multimercado Credito Privado Furia
9 Investimento No Exterior, or Leste Group. ~~This request is without regard to the~~
10 ~~Relevant Time Period.~~
 - 11 (4) Document Request 4, modified as follows:

12 No response is required.
- 13 **(B) Deadline for Document Production**
- 14 Furia and Mr. Hermann shall produce the required documents on or before May 13, 2016
15 or 7 days prior to the scheduled deposition of Mr. Hermann, whichever is earlier.
- 16 **(C) Mr. Hermann's Deposition**
- 17 Mr. Hermann has agreed to be deposed in Miami, Florida, between May 17, 2016 and June
18 10, 2016. The Court denies Pyramid's request to order the deposition to occur at a different
19 location or time. However, Furia and Mr. Hermann shall give Pyramid at least 7 days advance
20 notice of the deposition date, and all document production must be completed at least 7 days
21 before the deposition date. The deposition shall last a maximum of 4 hours.
- 22 **(D) Further Briefing Re Lead Plaintiff/Lead Counsel Motion**
- 23 Within 10 days after Mr. Hermann's deposition, the parties shall submit supplemental
24 briefs on the Lead Plaintiff/Lead Counsel motion, not to exceed 10 pages each. Within 5 days
25 thereafter, the parties may submit reply briefs, not exceed 5 pages each.
- 26 Dated: April 28, 2016



BETH LABSON FREEMAN
United States District Judge